

REMARKS/ARGUMENTS

The Examiner has required Applicants to elect a single disclosed species for inhibiting adhesion of monocytic dendritic cells from the group consisting of:

- A) higher concentration of animal or human protein,
- B) low cellular avidity culture vessel, or
- C) metal chelator

Additionally, the Examiner has required that if species A is elected, Applicants are to elect a single disclosed sub-species, wherein the protein is:

- a) albumin,
- b) serum,
- c) plasma,
- d) gelatin, or
- e) poly-amino acid,

and wherein the culture vessel is:

- a) polystyrene,
- b) glass coated polystyrene,
- c) styrene, or
- d) glass.

Additionally, the Examiner has required that if species B, low avidity culture vessel, is elected, Applicants are to elect a single disclosed sub-species of culture vessel from the group consisting of:

- a) Polypropylene,
- b) Teflon, or
- c) PFTE.

The Examiner has asserted that these are distinct species because their structures and physiochemical properties differ. As examples the Examiner provided that, a protein is derived from a cell, while a culture vessel is made up of synthetic material. Furthermore, the Examiner believes that the subspecies are distinct because their structures and physiochemical properties differ.

Additionally, the Examiner has required Applicants to elect a single disclosed species of dendritic cell maturation agent from the group consisting of:

- A) BCG,
- B) LPS,
- C) TNF- $\alpha$ ,
- D) IFN- $\gamma$ , or
- E) combinations thereof.

The Examiner has also noted that if E) combinations thereof is elected, Applicants are to identify a particular combination for examination. The Examiner believes that these species are distinct because their structures, functions, and physiochemical properties differ. As an example the Examiner has offered that LPS is a polysaccharide derived from bacterial cell walls, whereas TNF- $\alpha$  is a protein expressed by mammalian cells and that while TNF- $\alpha$  and IFN- $\gamma$  are both cytokines, they are still functionally distinct, bind distinct receptors, and hence transmit distinct signals to a target cell.

Applicants do not agree that even if the outlined species are independent and/or functionally distinct restriction is required, but in order to further expedite prosecution, Applicants elect to prosecute species (B) where inhibition of adhesion through use of low-adhesion culture vessel. In electing species (B) the Examiner has also required the election of a subspecies as set forth above. As such, Applicants elect subspecies (C) wherein the culture vessel is composed of PFTE which is also known as PTFE (polytetrafluorethylene). PTFE is a family of polymer compositions available commercially under various other chemical names. Further, as requested by the Examiner Applicants elect as the dendritic cell activation agent

species (E), combinations of dendritic cell maturation agents consisting of BCG and interferon  $\gamma$ . Still further, Applicants have added claims 25 through 29 directed to embodiments if the invention disclosed in the specification as filed but not claimed. In particular, the embodiments include the use of low avidity substrates and a dendritic cell culture medium comprising a high concentration of an animal or human protein. The animal or human protein can comprise albumin, serum, plasma, gelatin, or a poly-amino acid. Support for the new claims can be found for example at page 6, paragraph 16, page 11, paragraph 33, and in the examples. Should the Examiner believe that any of the added claims necessitate restriction to a particular species of animal or human protein in the context of the method using a low avidity culture vessel in order to proceed with examination, Applicants would elect to proceed with human serum albumin.

The Examiner has also requested Applicants to provide a listing of all claims readable on the identified species. Applicants believe that claims 1-3, 8, 9, 13-15, 17-24, and added claims 25 through 29. Claims 4-7, 10, 12, and 16 have therefore been withdrawn as being directed to a non-elected species. It is noted by Applicants that upon the allowance of a generic claim, Applicants will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all of the limitations of an allowed generic claim as provided by 37 C.F.R. §1.141.

Applicants believe all requirements for responding to the species election requirement have been addressed. If a telephone conference would expedite this matter, the Examiner is respectfully encouraged to contact the undersigned accordingly.

Respectfully submitted,

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